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PATENT
ATTORNEY/DOCKET NO. 69273-0009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Elliott FARBER)
Application No. 09/758,781) Art Unit: 1617
Filed: January 11, 2001) Examiner: S. Sharareh
For: ALLANTOIN-CONTAINING SKIN CREAM) Confirmation No. 1721

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMUNICATION

Sir:

Applicant hereby requests the USPTO to return an initialed copy the previously submitted PTO Form 1449 dated December 20, 2001.

Please find enclosed a copy of the Third Supplemental Information Disclosure Statement and Form 1449 (and accompanying paperwork) that were received and date stamped in the USPTO on January 30, 2002. Applicant has not received a copy of the corresponding, initialed PTO Form 1449. At the suggestion of the Examiner during a telephone call on March 12, 2004, Applicant hereby includes this request for a signed copy of the foregoing PTO Form 1449 with payment of the Issue Fee.

Attorney Docket No. 69273-0009
Application No. 09/758,781

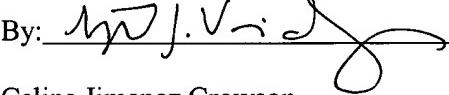
Applicant also notes that several of the references included in the Third Supplemental Information Disclosure Statement and Form 1449 were considered and initialed by the Examiner as part of a subsequently submitted and returned Information Disclosure Statement and Form 1449 (a copy of which is also included).

Respectfully submitted,
HOGAN & HARTSON LLP

Dated: March 15, 2004

HOGAN & HARTSON LLP
555 13th Street, N.W.
Washington, D.C. 20004
(202) 637-5600
Customer No. 24633

Enclosures

By: 

Celine Jimenez Crowson
Reg. No. 40,357

Ajit J. Vaidya
Reg. No. 43,214

William T. Slaven, IV
Reg. No. 52,228



Receipt is hereby acknowledged for the following at the U.S. Patent and Trademark Office,
addressed to: Commissioner for Patents, Washington, D.C. 20231

Docket No.: 14358-308 (Alwyn Company, Inc.)
Applicant: Elliott Farber
Title: Allantoin-Containing Skin Cream
Serial No.: 09/758,781
Filing Date: January 11, 2001

- Third Supplemental Information Disclosure Statement transmittal paper
 Form 1449 for Information Disclosure Statement and 11 references
 Return Acknowledgment Postcard

MBF/jj

RECEIVED

FEB 12 2002

OWD



Mailed: December 20, 2001

LA: 305399 v01 12/20/2001

DOCKETED

FEB 15 2002

OWD-LA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	E. Farber	Examiner:	Not assigned
Serial No.:	09/758,781	Group Art Unit:	1619
Filed:	January 11, 2001	Docket:	14358-308
Due Date:	N/A	Date Mailed:	December 20, 2001
Title:	ALLANTOIN-CONTAINING SKIN CREAM		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on December 20, 2001.

By: *Jay Johnson*
Name: Jay Johnson

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner
for Patents
Washington, DC 20231

Dear Sir:

This document is an Information Disclosure Statement to the above-cited patent application.

Attached hereto is at least one Form PTO-1449 listing documents believed relevant to the subject application. The submission of the following information is not intended, nor should it be construed, to constitute an admission that any patent, article, or other information referred to herein is "prior art" unless specifically designated as such. In accordance with 37 C.F.R. § 1.97(b) the filing of this information shall not be construed to mean that a search has been made or that no other material information may exist. Neither should its submission be construed to indicate that a thorough search should not be conducted by the Examiner.

It is believed that this disclosure complies with the requirements of 37 C.F.R. § 1.56, § 1.97, and § 1.98 and the Manual of Patent Examining Procedures § 707.05(b). If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be telephoned so that any deficiencies can be remedied.

This Third Supplemental Information Disclosure Statement is being submitted before the mailing of an Office Action on the merits on the above-identified application. Therefore, no fee is due for submission of this Supplemental Information Disclosure Statement, pursuant to 37 C.F.R. § 1.97(b)(3). If an Office Action on the merits has been mailed prior to the submission of this Third Supplemental Information Disclosure Statement, the undersigned hereby certifies that no item of information contained in this Third Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the submission of this Third Supplemental Information Disclosure Statement. This is the statement required under 37 C.F.R. § 1.97(e)(1). Accordingly, no fee is due for this Third Supplemental Information Disclosure Statement.

A copy of each document is enclosed. Some of the documents may have markings thereon. No significance is meant to be attached to the markings. These documents are not necessarily analogous art. Additionally, the order of the following documents is to be accorded no particular import as the order thereof is completely fortuitous.

It is respectfully requested that these documents be: (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) represented on any patent which may issue on the application. Applicants respectfully request that copies of the PTO-1449 forms, as considered and initialed by the Examiner, be returned with the next communication.

F.R. Greenbaum, "The Story of Allantoin," Am. J. Pharm. 112: 205-216 (1940).

M.A. Lesser, "Allantoin," Drug Cosmet. Ind. 42: 451-456, 469 (1938).

I.I. Lubowe & S.B. Mecca, "Allantoin and Aluminum Derivatives in Dermatological Applications," Drug Cosmet. Ind. 84: 36, 37, 117 (1959).

S.B. Mecca, "Allantoin and the Newer Aluminum Allantoinates," Proc. Scient. Sect. Toilet Goods Assoc. No. 31: 1-6 (1959).

S.B. Mecca, "The Function and Applicability of the Allantoins," Proc. Scient. Sect. Toilet Goods Assoc. No. 39: 7-15 (1963).

P. LeVan et al., "The Use of Silicones in Dermatology," Calif. Med. 81: 210-213 (1954).

R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. I.-- Toxicité," Ann. Pharm. Franc. 20: 623-636 (1962) (in French), discloses the physical and chemical properties and the toxicity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were observed to have no toxicity.

R. Cahen & J.-F. Clement, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. II.--Etude de l'Activité Gastroïque," Ann. Pharm. Franc. 20: 693-703 (1962) (in French), discloses the activity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on gastric activity. The compounds were found to have acid-neutralizing and buffering activity and to diminish gastric acidity.

R. Cahen & A. Pessonniere, "Etude Pharmacologique de L'Allantoinate de Dihydroxyaluminium et de L'Allantoinate de Chlorhydroxyaluminium. III.--Effet Anti-ulcereux," Ann. Pharm. Franc. 20: 704-713 (1962) (in French), discloses the anti-ulcer activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were found to have anti-ulcer activity in rats and guinea pigs comparable to compounds such as aluminum hydrate and bismuth subnitrate.

R. Cahen & A. Pessonniere, "Etude Pharmacologique de L'Allantoinate de Dihydroxyaluminium et de L'Allantoinate de Chlorhydroxyaluminium. IV.--Effet sur l'Ulcère Médicamenteux Expérimental," Ann. Pharm. Franc. 21: 215-222 (1963) (in French), discloses the effect of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on ulcers produced in the rat by administration of phenylbutazone or reserpine. The compounds were found to have activity against such ulcers.

C. Debray et al., "Etude de Dérivés Allantoïniques de l'Aluminium dans la Thérapeutique des Affections Gastro-duodénales," Presse Méd. 70: 2643 (1962) (in French) discloses the activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate administered in a complex with a polymer of polyoxyethylene and polyoxypropanediol, methylhomatropine bromide, and calcium carbonate

USSN 09/758,781

Docket No. 14358-308

on gastrointestinal conditions. The complex was said to be effective against duodenal ulcer and effective in protecting the gastric mucosa.

Dated: December 20, 2001

Respectfully submitted,



Michael B. Farber

Registration No. 32,612

OPPENHEIMER WOLFF & DONNELLY LLP
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FORM 1449*	INFORMATION DISCLOSURE STATEMENT	Docket Number: 14358-308	Application Number: 09/758,781
IN AN APPLICATION (Use several sheets if necessary)		Applicant: Elliott Farber Filing Date: January 11, 2001 Group Art Unit: 1619	
			

U.S. PATENT DOCUMENTS

EXAMINER	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

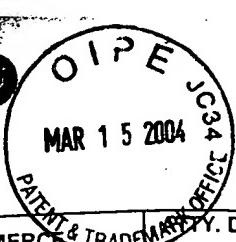
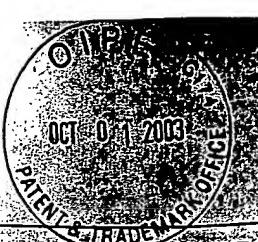
FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	F.R. Greenbaum, "The Story of Allantoin," <u>Am. K. Pharm.</u> 112:205-216 (1940).
	M.A. Lesser, "Allantoin," <u>Drug Cosmet. Ind.</u> 42:451-456, 469 (1938).
	I.I. Lubowe & S.B. Mecca, "Allantoin and Aluminum Derivatives in Dermatological Applications," <u>Drug Cosmet. Ind.</u> 84:36, 37, 117 (1959).
	S.B. Mecca, "Allantoin and the Newer Aluminum Allantoinates," <u>Proc. Scient. Sect. Toilet Goods Assoc.</u> No. 31:1-6 (1959).
	S.B. Mecca, "The Function and Applicability of the Allantoinates," <u>Proc. Scient. Sect. Toilet Goods Assoc.</u> No. 39:7-15 (1963).
	P. LeVan et al., "The Use of Silicones in Dermatology," <u>Calif. Med.</u> 81:210-213 (1954). ✓
	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxy-aluminium. I.-- Toxicité," <u>Ann. Pharm. Franc.</u> 20:623-636 (1962) (in French), discloses the physical and chemical properties and the toxicity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were observed to have no toxicity.
	R. Cahen & J.-F. Clement, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxy-aluminium. II.--Etude de l'Activité Gastroïque," <u>Ann. Pharm. Franc.</u> 20: 693-703 (1962) (in French), discloses the activity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on gastric activity. The compounds were found to have acid-neutralizing and buffering activity and to diminish gastric acidity. ✓
	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. III.--Effet Anti-ulcérœux," <u>Ann. Pharm. Franc.</u> 20:704-713 (1962) (in French), discloses the anti-ulcer activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were found to have anti-ulcer activity in rats and guinea pigs comparable to compounds such as aluminum hydrate and bismuth subnitrate. ✓
	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. IV.--Effet sur l'Ulcère Médicamenteux Expérimental," <u>Ann. Pharm. Franc.</u> 21:215-222 (1963) (in French), discloses the effect of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on ulcers produced in the rat by administration of phenylbutazone or reserpine. The compounds were found to have activity against such ulcers. ✓
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	



Sheet 1 of 2

<p style="text-align: center;">TRADE U.S. DEPARTMENT OF COMMERCE PTO-1449 (Modified) PATENT AND TRADEMARK OFFICE</p> <p style="text-align: center;">TRADE INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center;">(Use several sheets if necessary)</p>	MARVY. DOCKET NO: 69273-0009	APPLICATION NO.: 09/758,781
	APPLICANT Elliot FARBER	
	FILING DATE January 11, 2001	GROUP: 1617 Examiner: S. Sharareh

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	CITE NO.	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	4,767,618	08/30/1988	Grollier et al.	424	74	10/22/1985
	2	4,933,177	06/12/1990	Grollier et al.	424	74	06/15/1988
	3	5,176,916	01/05/1993	Yamanaka et al.	424	448	04/17/1991
	4	5,476,664	12/19/1995	Robinson et al.	424	443	04/15/1994
	5	5,753,245	05/19/1998	Fowler et al.	424	401	02/19/1997
	6	5,871,762	02/16/1999	Venkitaraman et al.	424	402	10/07/1996
	7	6,077,520	06/20/2000	Tominaga	424	401	02/13/1998
	8	6,169,114 B1	01/02/2001	Yamaguchi et al.	514	562	05/05/1999

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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MAR 15 2004
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Sheet 2 of 2

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		DOCKET NO: 69273-0009	APPLICATION NO.: 09/758,781
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Elliot FARBER	
		FILING DATE January 11, 2001	GROUP: 1617 Examiner: S. Sharareh
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
Examiner Initials	Cite No.		
	9	P. LeVan et al., "The Use of Silicones in Dermatology," <i>Calif. Med.</i> 81:210-213 (1954)	
	10	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L' Allantoïnate de Chlorhydroxyaluminium. I.—Toxicité," <i>Ann. Pharm. Franc.</i> 20:623-636 (1962) (in French), discloses the physical and chemical properties and the toxicity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were observed to have no toxicity.	
	11	R. Cahen & J.-F. Clement, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L' Allantoïnate de Chlorhydroxyaluminium. II.—Etude de l'Activité Gastroïntestinale," <i>Ann. Pharm. Franc.</i> 20:693-703 (1962) (in French), discloses the activity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on gastric activity. The compounds were found to have acid-neutralizing and buffering activity and to diminish gastric acidity.	
	12	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L' Allantoïnate de Chlorhydroxyaluminium. III.—Effet Anti-ulcérage," <i>Ann. Pharm. Franc.</i> 20:704-713 (1962) (in French), discloses the anti-ulcer activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were found to have anti-ulcer activity in rats and guinea pigs comparable to compounds such as aluminum hydrate and bismuth subnitrate.	
	13	R. Cahen & A. Pessonner, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L' Allantoïnate de Chlorhydroxyaluminium. IV.—Effet sur l'Ulcère Médicamenteux Expérimental," <i>Ann. Pharm. Franc.</i> 21:215-222 (1963) (in French), discloses the effect of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on ulcers produced in the rat by administration of phenylbutazone or reserpine. The compounds were found to have activity against such ulcers.	
	14	C. Debray et al., "Etude de Dérivés Allantoiniques de l'Aluminium dans la Thérapeutique des Affections Gastro-duodénales," <i>Presse Méd.</i> 70:2643-44 (1962) (in French) discloses the activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate administered in a complex with a polymer of polyoxyethylene and polyoxypropanediol, methylhomatropine bromide, and calcium carbonate on gastrointestinal conditions. The complex was said to be effective against duodenal ulcer and effective in protecting the gastric mucosa.	
EXAMINER		DATE CONSIDERED 12/11/03	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			